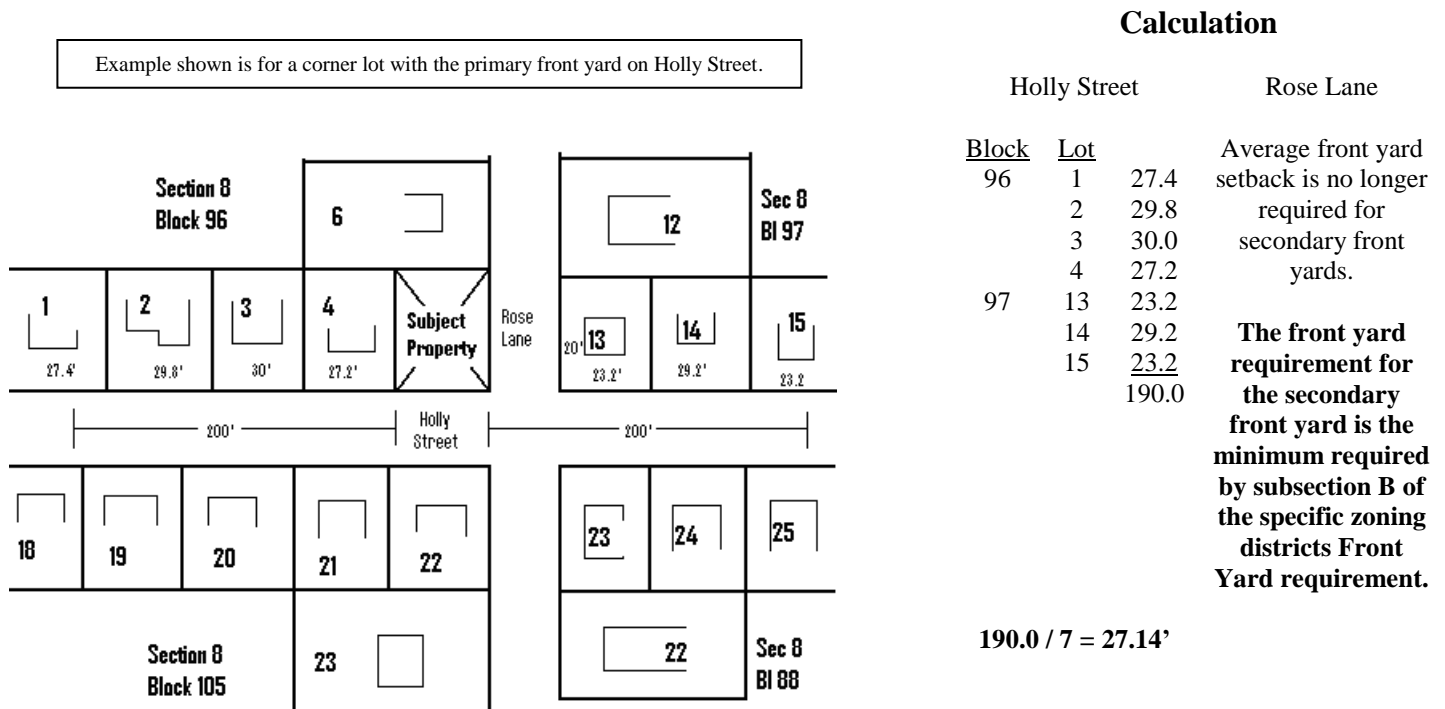


# Average Front Yard Setback

This handout to be used in conjunction with Chapter 70 of the Town of North Hempstead Code

- Requirement:** In all residential zoning districts, the minimum front yard depth shall be the same as the average front yard depth of the existing primary buildings within 200 feet (300 feet for zoning district AA) on each side of the lot on the same side of the street and within the same zoning district, or the minimum front yard setback for that district, whichever is greater. On a lot with multiple street fronts, the average front yard setback shall only apply to the primary front yard.
- When Required:** Construction of a new dwelling, front addition, second story over existing first story, or any front portico, porch or vestibule.
- Primary Front Yard:** The front yard with the narrower street frontage. For lots having equal street frontage, the primary front yard shall be the front yard where the main entrance is established.
- Existing Buildings:** The front yards of the existing building is measured to the main building, not permitted encroachments such as open porches, enclosed porches, vestibule and porticos.

The following is an example of the diagram and calculation which must be provided on the plans:



The subject property is not included in the calculation of average front yard setback

- The existing front yard setbacks of the required buildings may be obtained by actual field survey performed by a Licensed Land Surveyor or by filing FOIL requests with the Town of North Hempstead Building Department for a copy of any survey which may exist in the property folders of the subject properties. When using surveys from the town records it is the applicant's responsibility to verify that the surveys depict current field conditions. Front yard setbacks cannot be obtained by estimating overhead photographs from the Nassau County Assessor or other online sources.
- The average front yard is required to be provided even if the applicant is proposing to build directly over or to the side of an existing first floor at the front of the existing dwelling.